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## Attorneys for Defendants

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

NATIONAL TPS ALLIANCE, MARIOLA GONZÁLEZ, FREDDY JOSE ARAPE RIVAS, M.H., CECILIA DANIELA GONZÁLEZ HERRERA, ALBA CECILIA PURICA HERNÁNDEZ, E.R., HENDRINA VIVAS CASTILLO, A.C.A., SHERIKA BLANC, VILES DORSAINVIL, and G.S..

### **Plaintiffs,**

VS.

KRISTI NOEM, in her official capacity as Secretary of Homeland Security, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, and UNITED STATES OF AMERICA.

### Defendants.

Case No. 3:25-cv-01766-EMC

**STIPULATION REGARDING CROSS-MOTION BRIEFING SCHEDULING AND [PROPOSED] ORDER**

Assigned to: Hon. Edward M. Chen

Complaint filed: February 19, 2025

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1 Pursuant to Civ. L.R. 6-1(a), 6-2, and 7-12, the parties, by and through their respective  
 2 counsel, submit this stipulation regarding the cross-motion briefing schedule for the Parties'  
 3 forthcoming Motions for Summary Judgment (collectively, "the Motions").

4 **WHEREAS**, Plaintiffs filed this action on February 19, 2025 (ECF No. 1) and an Amended  
 5 Complaint on March 20, 2025 (ECF No. 74);

6 **WHEREAS**, Plaintiffs filed a Motion to Postpone Effective Agency Action ("Motion to  
 7 Postpone") on February 20, 2025, the Court granted the Plaintiffs' Motion to Postpone on March 31,  
 8 2025 (ECF No. 93), and Defendants' appealed to the Ninth Circuit challenging the Court's  
 9 postponement order on April 1, 2025 (ECF No. 94);

10 **WHEREAS**, the parties' briefing to the Ninth Circuit regarding Defendants' appeal of this  
 11 Court's postponement order as to Venezuela is pending, and the hearing in the Ninth Circuit  
 12 regarding Defendants' appeal is scheduled for the week of July 7, 2025;

13 **WHEREAS**, the parties filed their Joint Case Management Statement on April 16, 2025, in  
 14 which Plaintiffs stated they may move for summary judgment with respect to both Venezuela and  
 15 Haiti TPS decisions as soon as practicable (ECF No. 111 at 9);

16 **WHEREAS**, the Court held the initial case management conference on April 21, 2025 at  
 17 1:30 PM via videoconference, during which Defendants indicated they would also be moving for  
 18 summary judgment, the parties discussed the forthcoming Motions, and the Court advised the parties  
 19 to meet and confer regarding a cross-motion briefing schedule for the Motions;

20 **WHEREAS**, at the case management conference the Court also inquired whether Plaintiffs  
 21 would be moving to postpone the effective date of the Haiti TPS decision;

22 **WHEREAS**, Plaintiffs' counsel and Defendants' counsel met and conferred on April 25,  
 23 2025 to discuss a cross-motion briefing schedule for the Motions, among other issues, and agreed to  
 24 the proposed briefing schedule;

25 **WHEREAS**, during the meet and confer, in response to Plaintiffs' inquiry, Defendants  
 26 advised that if Plaintiffs were to move to postpone the effective date of the Haiti TPS decision,  
 27 Defendants would oppose the motion on (among other grounds), the ground that the Haiti TPS

decision did not give rise to irreparable harm;

**WHEREAS**, in light of Defendants' position and in the interest of efficiency, conserving judicial resources, and narrowing the issues for decision, Plaintiffs' current plan is to move for summary judgment and vacatur of Defendants' Haiti TPS termination rather than postponement;

**WHEREAS**, this Court has not issued any order setting time regarding the cross-motion briefing schedule as the Motions are forthcoming, but did direct the parties at the initial case management conference to confer regarding a cross-motion briefing schedule, and so this request does not change an existing schedule for this case;

**WHEREAS**, the parties respectfully request that the Court grant the following stipulated briefing schedule for the parties' forthcoming Motions for Summary Judgment.

**IT IS HEREBY STIPULATED AND AGREED**, by the parties and subject to the approval of the Court:

- Plaintiffs shall file their Motion for Summary Judgment on May 26, 2025.
- Defendants shall file an Opposition to Plaintiffs' Motion for Summary Judgment and their Motion for Summary Judgment up to and including June 10, 2025.
- Plaintiffs shall file their Reply in further support of their Motion for Summary Judgment and their Opposition to Defendants' Motion for Summary Judgment up to and including June 20, 2025.
- Defendants shall file their Reply to Plaintiffs' Opposition to Defendants' Motion for Summary Judgment on June 27, 2025.
- The Court will hear argument on the Parties' Motions for Summary Judgment on July 11, 2025.

## IT IS SO STIPULATED.

Respectfully submitted,

1 Date: April 29, 2025

ACLU FOUNDATION  
OF NORTHERN CALIFORNIA

2  
3 Date: April 29 2025

/s/ Emilou MacLean  
Emilou MacLean  
Attorneys for Plaintiffs  
U.S. DEPARTMENT OF JUSTICE

4  
5 /s/ Sarah L. Vuong  
Sarah L. Vuong  
6 Attorneys for Defendants

7  
8 **SIGNATURE ATTESTATION**

9 Pursuant to Civil Local Rule 5-1(i)(3), I hereby attest that each of the other Signatories have  
10 concurred in the filing of this document.

11  
12 ACLU FOUNDATION  
13 /s/ Emilou MacLean  
14 Emilou MacLean

15  
16 **[PROPOSED] ORDER**

17 PURSUANT TO STIPULATION, IT IS SO ORDERED.  
18

19 Dated: \_\_\_\_\_, 2025

20 The Honorable Edward M. Chen  
21 United States District Judge